

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL CRAIG WILSON,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. C13-5506 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 6. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

1. Petitioner's motion to proceed in forma pauperis is denied and this petition is dismissed. Petitioner cannot challenge a state's application of state law in a federal habeas corpus petition. The Court dismisses the petition because amendment of the petition would not cure this defect.
2. This action is dismissed without prejudice

Dated this 27th day of August, 2013.



BENJAMIN H. SETTLE
United States District Judge